

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO: 21-_____
v.	:	DATE FILED: _____
ERIC FANTE	:	VIOLATIONS:
	:	18 U.S.C. § 1349 (conspiracy to
	:	commit wire fraud – 1 count)
	:	18 U.S.C. § 1343 (wire fraud – 1
	:	count)
	:	Notice of Forfeiture
	:	

INFORMATION

COUNT ONE
(Conspiracy to Commit Wire Fraud)

THE UNITED STATES ATTORNEY CHARGES THAT:

At all times material to Count One of this information:

1. The Regional Produce Cooperative Corporation (“RPCC”) was a Pennsylvania non-profit cooperative corporation, doing business as Philadelphia Wholesale Produce Market (the “Market”), and had its principal place of business at 6700 Essington Avenue, Philadelphia, PA 19153. The Market, which opened on June 5, 2011, was the world’s largest fully-refrigerated wholesale produce terminal. The Market was open to the public and gathered dozens of competitive wholesale produce merchants in a central location to supply fresh produce to the Philadelphia region and beyond.

2. Each of the approximately 25 merchants operating at the Market were members of the RPCC. The RPCC was responsible for managing, monitoring, and maintaining

the daily operations of the Market facility including maintenance, security, waste management and facility programs. The merchants paid rent to RPCC, and the RPCC in turn paid the expenses of operating the Market, and also paid rent to RPCC's landlord.

3. Caesar DiCrecchio, charged elsewhere, was the President and CEO of the Market and exercised control over every aspect of the Market.

4. Defendant ERIC FANTE owned and operated a flooring company called Fante Flooring.

THE CONSPIRACY

5. From in or about 2015, through in or about 2018, in the Eastern District of Pennsylvania, and elsewhere, defendant

ERIC FANTE

and Caesar DiCrecchio conspired and agreed together to knowingly devise a scheme and artifice to defraud and to obtain money and property from the Market by means of false and fraudulent pretenses, representations and promises, in violation of Title 18, United States Code, Section 1343.

MANNER AND MEANS

It was a part of the conspiracy that:

6. Defendant ERIC FANTE and Caesar DiCrecchio agreed that defendant FANTE would install flooring for the benefit of relatives and friends of DiCrecchio and DiCrecchio would arrange for FANTE to be paid by the Market. DiCrecchio and defendant FANTE arranged to conceal these expenditures from other employees of the Market, including by providing false invoices to the Market.

7. Caesar DiCrecchio directed defendant ERIC FANTE to perform flooring work for acquaintances of DiCrecchio's at two residences, one in Pennsylvania, and one in New Jersey. Defendant FANTE performed the work and informed DiCrecchio that it was completed. Defendant FANTE took payment for the work in the form of a check drawn on the Market's bank account. In order to obtain payment for the work performed for these at these residences, defendant FANTE and DiCrecchio agreed that defendant FANTE would submit a false invoice to the Market.

8. In or about April 2017, Caesar DiCrecchio directed defendant ERIC FANTE to perform work for a restaurant in Stone Harbor, New Jersey. Defendant FANTE performed the work and took payment for the work in the form of a check drawn on the Market's bank account.

9. Caesar DiCrecchio directed defendant ERIC FANTE to perform flooring work at the residence of Person 1, a person known to the United States Attorney, a relative of DiCrecchio. Defendant FANTE performed the work and took payment for the work in the form of a check drawn on the Market's bank account.

10. Defendant ERIC FANTE and Caesar DiCrecchio misrepresented, concealed and hid, and caused to be misrepresented, concealed and hidden, the actions done in furtherance of the conspiracy.

OVERT ACTS

In furtherance of the conspiracy, defendant ERIC FANTE and Caesar DiCrecchio committed the following overt acts in the Eastern District of Pennsylvania, and elsewhere:

1. In or about November 2015, at Caesar DiCrecchio's direction, defendant

ERIC FANTE performed work at two residences owned by acquaintances of DiCrecchio.

2. On or about November 12, 2015, defendant ERIC FANTE told Caesar DiCrecchio that he had almost completed work at the residences that was worth \$5,600 and \$3,700 respectively. DiCrecchio advised defendant FANTE that defendant FANTE would be paid \$7,000 for rent, and \$10,300 for work at one residence, and \$3,700 for work at the second residence, for a total of \$21,000.

3. In or about November 2015, defendant ERIC FANTE submitted a false invoice to the Market in the amount of \$21,000. At Caesar DiCrecchio's direction, defendant FANTE falsely included on this invoice the following description of work performed at the Market, despite the fact that FANTE had not performed any work for the Market: "Prep all areas prior to the installation of epoxy floor system in recycling building & refrigeration vessel room. Total area covered 15,565 square feet."

4. In or about April 2017, at Caesar DiCrecchio's direction, defendant ERIC FANTE performed work for a restaurant in Stone Harbor, New Jersey.

5. On or about May 2, 2017, Caesar DiCrecchio caused the Market to pay defendant ERIC FANTE approximately \$6,500 for work defendant FANTE had performed for the restaurant in Stone Harbor, New Jersey.

6. In or about September 2017, at Caesar DiCrecchio's direction, defendant ERIC FANTE performed work for Person 1.

7. On or about October 2, 2017, Caesar DiCrecchio caused the Market to pay defendant ERIC FANTE approximately \$7,820 for work defendant FANTE had performed for DiCrecchio's relative.

All in violation of Title 18, United States Code, Section 1349.

COUNT TWO
(Wire Fraud)

THE UNITED STATE ATTORNEY FURTHER CHARGES THAT:

1. Paragraphs 1 through 4 of Count One are incorporated here.

THE SCHEME

2. From in or about 2015, through in or about 2018, in the Eastern District of Pennsylvania, and elsewhere, defendant

ERIC FANTE,

together with Caesar DiCrecchio, charged elsewhere, devised and intended to devise a scheme to defraud and to obtain money and property from the Market by means of false and fraudulent pretenses, representations and promises.

MANNER AND MEANS

3. Paragraphs 6 through 10 of the Manner and Means of Count One are incorporated here.
4. Paragraphs 1 through 7 of the Overt Acts of Count One are incorporated here.
5. On or about November 17, 2015, in the Eastern District of Pennsylvania, and elsewhere, defendant

ERIC FANTE,

for the purpose of executing the scheme described above, caused to be transmitted by means of wire communication in interstate commerce signals and sounds, specifically, an electronic image resulting from the deposit in the Eastern District of Pennsylvania of check number 72786 in the

amount of \$21,000 drawn on the Market operating account at TD Bank, and transmitted to TD Bank's servers located outside of Pennsylvania.

All in violation of Title 18, United States Code, Section 1343.

NOTICE OF FORFEITURE

THE UNITED STATES ATTORNEY FURTHER CHARGES THAT:

1. As a result of the violations of Title 18, United States Code, Section 1343 and 1349, in Counts One and Two of this Information, defendant

ERIC FANTE

shall forfeit to the United States of America any property that constitutes, or is derived from, proceeds traceable to the commission of such offenses, including, but not limited to, at least the sum of \$109,000.

2. If any of the property subject to forfeiture, as a result of any act or omission of the defendant:

- (a) cannot be located upon the exercise of due diligence;
- (b) has been transferred or sold to, or deposited with, a third party;
- (c) has been placed beyond the jurisdiction of the Court;
- (d) has been substantially diminished in value; or
- (e) has been commingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 28, United States Code, Section 2461(c),

incorporating Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the property subject to forfeiture.

All pursuant to Title 28, United States Code, Section 2461(c) and Title 18, United States Code, Section 981(a)(1)(C).


JENNIFER ARBITTIER WILLIAMS
Acting United States Attorney

No. _____

UNITED STATES DISTRICT COURT

Eastern District of Pennsylvania

Criminal Division

THE UNITED STATES OF AMERICA

vs.

ERIC THOMAS FANTE

INFORMATION

Count(s)

18 U.S.C. § 1349 (conspiracy to commit wire fraud – 1 count)

18 U.S.C. § 1343 (wire fraud – 1 count)

Notice of Forfeiture

A true bill.

Foreman

Filed in open court this _____ day,
Of _____ A.D. 20 _____

Clerk

Bail, \$ _____
